

**MINUTES OF THE
COMMISSION ON FEDERALISM**

Tuesday, May 17, 2016 – 3:00 p.m. – Room 450 State Capitol

Members Present:

Sen. Allen M. Christensen, Senate Chair
Rep. Ken Ivory, House Chair
Sen. Mark B. Madsen
Sen. Karen Mayne
Rep. Kay J. Christofferson
Rep. Brian S. King
Rep. V. Lowry Snow

Staff Present:

Mr. Jerry D. Howe, Managing Policy Analyst
Mr. Nathan W. Brady, Policy Analyst
Ms. Cathy J. Dupont, Associate General Counsel
Mr. Robert H. Rees, Associate General Counsel
Ms. Bree A. Frehner, Legislative Assistant

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Commission Business

Chair Ivory called the meeting to order at 3:09 p.m.

MOTION: Sen. Christensen moved to approve the minutes of the August 11, 2015, meeting. The motion passed unanimously. Sen. Madsen, Sen. Mayne, and Rep. King were absent for the vote.

2. Continuing Education on Federalism Curriculum

Chair Ivory reviewed how Utah Valley University was selected after a request for proposals to create a federalism curriculum. He introduced the presenters and explained that the commission would view and critique six video modules created by Utah Valley University as part of the federalism curriculum.

Mr. Jeff Olsen, Senior Vice President of Academic Affairs, Utah Valley University, discussed development of the federalism curriculum and thanked the commission for selecting Utah Valley University to create the curriculum.

Dr. Andrew Bibby, Interim Director, Center for Constitutional Studies (CCS) at Utah Valley University, distributed "Federalism Curriculum Progress Report" and "CCS Federalism Conference attendees." He updated the commission on the progress made on the federalism curriculum, particularly six video modules that are based on interviews from academic experts who attended the CCS "Principles of Federalism" conference. Mr. Olsen and Dr. Bibby responded to questions from the commission.

Mr. Daniel Demille, video producer/editor, Utah Valley University, introduced the commission to the federalism curriculum interface and showed the six federalism curriculum video modules. Commission members asked questions and made suggestions after each video. The module titles are:

1. [Defining Federalism](#)
2. [Basic Principles of Federalism](#)
3. [Madisonian Federalism](#)
4. [Federalism and the Constitution](#)
5. [Federalism and the Administrative State](#)
6. [Current Issues](#)

Dr. Bibby and Mr. Olsen explained that the CCS "Principles of Federalism" conference attendees were selected based on academic credentials and expertise. Dr. Bibby stated that it was important for the

curriculum to be accessible for the public, and to accurately reflect our history and state sovereignty. He said that Utah Valley University tried to ensure the ideological balance of the curriculum. Commission members expressed their appreciation that the federalism curriculum transcended political ideology.

Commission members discussed next steps, including the questions to be explored in a second phase of the federalism curriculum, steps the Legislature should take to support federalism and foster understanding, and consideration of the financial ramifications of reallocating power between the states and the federal government. Responding to a question from Rep. Snow, Dr. Bibby noted the possibility of Utah Valley University hosting future federalism conferences.

Mr. Stan Rasmussen, Director of Public Affairs, Sutherland Institute, asked if the federalism curriculum would be available to the public. Chair Ivory responded that the curriculum would be widely open to public offices as well as the public generally.

3. Article V Issues Update

Rep. Snow distributed "Assembly of State Legislatures report." He discussed the purpose of the Assembly of State Legislatures. Responding to a question from Chair Ivory, Rep. Snow noted that it would be helpful for Utah delegates to prepare a unified plan before future assembly meetings. He acknowledged that the assembly is not the only group working on Article V issues.

4. The Texas Plan to Restore Balance between State and Federal Governments

Mr. Jess Fields, Senior Policy Analyst, Texas Public Policy Foundation, highlighted the growth and size of the federal government. He reviewed the Texas plan, unveiled by Governor Gregg Abbott in January 2016, to restore balance between state and federal governments. He enumerated the nine constitutional amendments proposed by the Texas plan. He responded to questions from the commission.

5. Other Items/Adjourn

MOTION: Sen. Christensen moved to adjourn the meeting. The motion passed unanimously. Sen. Mayne was absent for the vote.

Chair Ivory adjourned the meeting at 5:56 p.m.